

THE CABINET reports as follows:-

1. Disposal Procedure for Surplus Land and Property and Amendment of Delegation Scheme and Financial Procedure Rules for acquisition and disposal of assets

That they have given consideration to a report of the Deputy Chief Executive recommending improvements to the Council's Disposal Procedure for Surplus Land and Property, and a revision to the Delegation Scheme and Financial Procedure Rules which would further improve the process for the acquisition and disposal of assets.

The Cabinet approved the amendments to the Procedure for the Disposal of Surplus Land and Property be approved as set out in the report and accordingly recommends the Council to:-

- (i) amend paragraph 2.37 of the Delegation Scheme set out in Part 3 of the constitution in respect of the Deputy Chief Executive to provide as follows:-

“2.37 To authorise, in consultation with the Executive Director of Commercial and Corporate Services:-

- a) the acquisition and disposal of freehold and leasehold interests in land where the consideration is less than £250,000; and
- b) the acquisition and disposal of leasehold interests in land where the annual rental is less than £250,000.”

provided that in each case, save for:-

- (i) leases granted for a term of seven years or less; or
- (ii) where a disposal of a surplus property is proposed at less than best consideration to a Voluntary and Community Sector organisation in accordance with the Surplus Building Policy (Community Benefit) approved by Cabinet at its meeting on 6th April 2011 and the consideration or annual rental is less than £250,000.00 before any concession; or
- (iii) where the disposal is within the scope of the Deputy Chief Executive's delegated authority to agree rent concessions;

in the reasonable opinion of the Deputy Chief Executive, the transaction represents the best consideration reasonably obtainable.”

- (ii) amend paragraph 2.58 of the Delegation Scheme set out in Part 3 of the constitution in respect of the Deputy Chief Executive to provide as follows:-

“2.58 To agree abnormal development costs for all sites”

- (iii) amend paragraph 20.4 of the Financial Procedure Rules to provide as follows

“Cabinet approval is required for the purchase and disposal of freehold and leasehold interests in land where the consideration is £250,000 or more or, in any case, save for:-

- (i) leases granted for a term of seven years or less; or
- (ii) where a disposal of a surplus property is proposed at less than best consideration to a Voluntary and Community Sector organisation in accordance with the Surplus Building Policy (Community Benefit) approved by Cabinet at it’s meeting on 6th April 2011 and the consideration or annual rental is less than £250,000.00 before any concession; or
- (iii) where the disposal is within the scope of the Deputy Chief Executive’s delegated authority to agree rent concessions;

where the disposal of a freehold or leasehold interest is at less than best consideration.”

- (iv) amend paragraph 20.5 of the Financial Procedure Rules to provide as follows

“Cabinet approval is required for the purchase and disposal of leasehold interests in land where the annual rental is £250,000 or more or, in any case, save for:-

- (i) leases granted for a term of seven years or less; or
- (ii) where a disposal of a surplus property is proposed at less than best consideration to a Voluntary and Community Sector organisation in accordance with the Surplus Building Policy (Community Benefit) approved by Cabinet at it’s meeting on 6th April 2011 and the consideration or annual rental is less than £250,000.00 before any concession; or

- (iii) where the disposal is within the scope of the Deputy Chief Executive's delegated authority to agree rent concessions;

where the disposal of a leasehold interest is at less than best consideration"

- (v) authorise the Head of Law and Governance to make such other amendments to the constitution as are required to give effect to and ensure consistency with the decisions of Council as set out in paragraphs (2) (a) to (d) above.

2. Youth Justice Plan 2011-2012

That they have given consideration to a report of the Executive Director of Children's Services seeking approval to the publication and distribution of the Youth Justice Plan 2011/2012. The report outlines the background, purpose and intentions of the Plan and provides the Plan intended for publication.

They also referred the report to the Children, Young People and Learning Scrutiny Committee for further advice and consideration. The Scrutiny Committee in considering the report, congratulated the service on yet another excellent report, and endorsed the Youth Justice Plan prior to its submission to the Youth Justice Board.

Accordingly the Cabinet recommends the Council to consider the contents of the report and approve the Youth Justice Plan 2011-2012 and agree to its publication and distribution.

3. Establishment of a Local Authority Owned Company

That they have agreed to the establishment and development of a local authority owned company, with a Board of Directors to consist of three elected members, to take over the care and support provided in a number of care establishments for adults with learning disabilities, autism and complex needs in Sunderland.

Accordingly the Cabinet recommends the Council to appoint three members to the Board of Directors of the new company.

